IN THE HIGH COURT OF JUDICATURE AT BOMBAY
APPELLATE SIDE CIVIL JURISDICTION

WRIT PETITION NO.69 OF 2007

Mohan P. Jadhav and ors. ..Petitioners.
Vs.
Haridas R.Sonawane and ors. ..Respondents.

Mr.P.D.Dalvi for the Petitioners.
Mr.Amit B. Borkar fopr the Respondent No.1.
Mr.C.R.Sonawane, AGP. for the Respondent No.3.

CORAM: S.B. MHASE &
R.S. MOHITE, JJ.
DATE : 16th April, 2007

P.C.

1. The learned counsel for the petitioners states that the grievance of the petitioner will be redressed if the Commissioner of Kolhapur Municipal Corporation is directed to decide the application dated 12.9.2006 preferred against the Respondent No.1, so as to declare him as disqualified in view of the provisions of Section 10 (1d) of the B.P.M.C.Act,1949. Inspite of the fact that application has been preferred six months earlier, no steps are being taken by the Commissioner for disposal of the said application on merits.

2. We find that to decide such application is a statutory duty of the Respondent No.2. We direct the respondent No.2 to decide the application preferred by the petitioner within a stipulated period, namely, within a period of 12-weeks from today after giving opportunity to the petitioner and the Respondent No.1. He is also directed to decide that application on its own merits and by a reasoned order. Petition is disposed of.

(R.S. MOHITE, J.) **(S.B. MHASE, J.)**